

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 19, 2021

SEAN F. McAVOY, CLERK

U.S.A. vs.

Roy, Joseph Leonard

Docket No.

0980 1:21CR02006-SAB-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Linda J. Leavitt, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Joseph Leonard Roy, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Mary K. Dimke sitting in the court at Yakima, Washington, on the 11th day of February 2021, under the following conditions:

Special condition #9: Defendant shall submit to random urinalysis and Breathalyzer testing as directed by the United States Probation/Pretrial Services Office to include carrying a device through Smart Start agency that will alert the defendant when he must give a Breathalyzer test. Testing is limited to six times per day. To be set up and paid for by the defendant.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation #1: Mr. Roy is in violation of his pretrial release conditions by failing to submit to his portable Breathalyzer test on March 18, 2021, between 8 a.m. and 9 a.m.

Conditions of release were reviewed and signed by Mr. Roy on February 12, 2021, acknowledging an understanding of his pretrial release conditions including special condition number 9.

On March 18, 2021, this officer received a report via email from Smart Start, the portable Breathalzyer testing program Mr. Roy is participating in, advising he failed to submit to his required test as scheduled between 8 a.m. and 9 a.m. This officer made several attempts to contact Mr. Roy via his cellular telephone requesting he submit a make up test, however he did not respond. At 12 p.m., on March 18, 2021, this officer spoke with Mr. Roy via his cellular telephone and asked why he missed his 8 a.m. to 9 a.m. test. Mr. Roy stated he submitted his test. I confirmed he did not submit to his required test. Mr. Roy stated he has been working outside and was still asleep. This officer reminded Mr. Roy he is required to submit to his daily tests and the device shows him the times when his tests are due. This officer also advised Mr. Roy he needs to keep the device near him at all times so he can hear the alerts for testing. Mr. Roy submitted a test between 1 p.m. and 2 p.m. which to his credit, tested negative.

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: 03/19/2021

by s/Linda J. Leavitt

Linda J. Leavitt
U.S. Pretrial Services Officer

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THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Signature of Judicial Officer

3/19/2021

Date